

UNITED STATES BANKRUPTCY COURT
Eastern District of Virginia

In re)
Dawn Valore Martin,)
Debtor.)

Case No. 15-11383-RGM

US BANKRUPTC
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CREDITORS' AND DEBTOR'S JOINT MOTION TO DISMISS
BANKRUPTCY PETITION, OR, IN THE ALTERNATIVE,
TO REMOVE TRUSTEES DONALD KING AND JACK FRANKEL AS
TRUSTEES, FOR BREACH OF THEIR FIDUCIARY DUTY TO CREDITORS

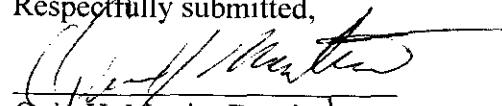
2015 AUG 24 P 1283
FILED

The majority of Creditors join Creditor Quin Martin and the Debtor, Dawn Martin in the present motion. These Creditors and the Ms. Martin respectfully request dismissal of Ms. Martin's Bankruptcy Petition. In the alternative, the undersigned request that this Court remove the Panel Trustee, Donald King, and the Assistant U.S. Trustee assigned to this case, Jack Frankel, for their breach of their fiduciary duty to the Creditors to represent and protect their interests.

The Chapter 7 Trustee is the representative of the Debtor's estate. 11 U.S.C. § 323(a). The Trustee has a fiduciary duty to protect the interests of all estate beneficiaries – namely, all Creditors and the Debtor's interest in exemptions and in any possible surplus property. As set forth in the accompanying *Memorandum in Support of the Motion*, the Trustees in this case have violated this fiduciary duty by favoring one unsecured, non-priority Creditor, Johannes Brondum, owed less than 5% of the total debt of the estate, over all other Creditors, individually and collectively.

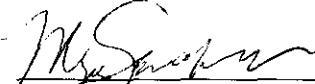
If the Court immediately dismisses these proceedings, no further action is needed; however, if the Court decides not to dismiss the case, the Trustees should be removed.

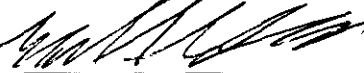
Respectfully submitted,

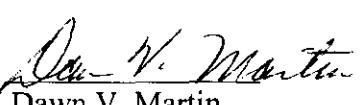

Quin H. Martin, Esquire¹

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Debtor, pro se

¹ Quin Martin is a member of the Bar in the states of New York and Pennsylvania. He is also a member of several federal Bars, including the U.S. Military Court of Justice, the U.S. Court of Appeal for the Third Circuit and the U.S. District Court for the District of Columbia. He is not barred in Virginia. He therefore files in this Court as a *pro se* creditor, not as counsel for a party.